

OFFICE OF CIVIL RIGHTS

The mission of the Office of Civil Rights is to develop civil rights policy, provide coordination and leadership for equal opportunity and civil rights, provide technical assistance and training to USDA agencies, enforce compliance with applicable regulations, and investigate and resolve complaints of discrimination in USDA employment and in programs conducted or assisted by USDA.

The Office of Civil Rights will assist ASCR in achieving the following objectives:

Objective 8: Develop and implement an efficient complaint process that adheres to civil rights laws and regulations.

Any employee, former employee, or applicant for employment with USDA who believes they have been discriminated against based on race, color, religion, sex, national origin, age, disability, reprisal, political affiliation, sexual orientation, marital status, parental status, or genetic information, has the right to file an EEO complaint under the civil rights laws, regulations and Executive Orders. This objective also addresses efficiency in program complaint processing. It is the policy of USDA to ensure that no person is subjected to prohibited discrimination in programs conducted by USDA or programs that receive Federal financial assistance from USDA. This objective consists of two performance indicators and three performance measures.

Performance Indicator 1: Process EEO complaints within regulatory timeframes.

Actionable Strategies:

- Review processes and take actions to ensure that complaints are handled efficiently.
- Institute quality control procedures to protect integrity of complaint process.
- Ensure that staff receives ongoing training on developments in EEO law.
- Monitor and track complaint inventory to ensure that delays in processing are addressed immediately.

Performance Measure 1: Percentage of EEO investigations completed within regulatory time frames.

Baseline: 2005 – 25% of investigations are completed within regulatory time frames.

Targets: 2010 – 100% of investigations will be completed within regulatory time frames.

Incremental Targets: 2006: 30%; 2007: 40%;
2008: 75%; 2009: 85%; 2010: 100%

Performance Measure 2: Percentage of final agency actions completed within regulatory time frames.

Baseline: 2005 – 40% of final agency actions completed in regulatory time frame.

Targets: 2010 – 100% of final agency actions will be completed in regulatory time frame.

Incremental Targets: 2006: 55%; 2007: 70%;
2008: 80%; 2009: 90%; 2010: 100%

Performance Indicator 2: Process program discrimination complaints within established timeframes.

Actionable Strategies:

- Review processes and take actions to ensure that complaints are handled efficiently.
- Institute quality control procedures to protect integrity of complaint process.
- Ensure that staff receives ongoing training on developments in civil rights law.
- Monitor and track complaint inventory to ensure that any delays in processing are addressed immediately.

Performance Measure: Percentage of program discrimination complaints processed within regulatory timeframe.

Baseline: 2005 – 16% of complaints are processed within regulatory time frames.

Targets: 2010 – 100% of complaints will be processed within regulatory time frames.

Incremental Targets: 2006: 22%; 2007: 35%;
2008: 60%; 2009: 80%

Objective 9: Ensure USDA agencies and offices are in compliance with EEO laws.

A number of federal statutes govern EEO in the federal government. Objective 9 addresses the importance of USDA agencies and offices adhering to these statutes as they relate to anti-discrimination and employment laws, and contains two performance indicators and four performance measures.

Performance Indicator 1: USDA agencies and offices deliver programs that comply with anti-discrimination laws.

Actionable Strategies:

- Identify the agencies and offices to be reviewed.
- Develop compliance review plan.
- Schedule compliance reviews.
- Conduct compliance reviews.
- Provide assistances to agencies and offices that are not in compliance.
- Produce compliance review report, including action items that are generated by the review.
- Monitor agencies' implementation of compliance review action items.
- Determine whether agencies and offices' corrective action plans are in compliance with anti-discrimination laws.

Performance Measure 1: Percentage of USDA agencies and offices reviewed to determine compliance with anti-discrimination laws.

Baseline: 2006 – TBD

Targets: 2010 – TBD

Performance Measure 2: Percentage of USDA agencies and offices where corrective action was needed and brought into compliance with anti-discrimination laws.

Baseline: 2007 – TBD

Target: 2010 – TBD

Performance Indicator 2: USDA agencies and offices engage in employment practices that comply with EEO laws.

Actionable Strategies:

- Identify the agencies or offices to be reviewed.
- Develop compliance review plan.
- Schedule compliance reviews.
- Conduct compliance reviews.
- Provide assistance to agencies and offices that are not in compliance.
- Produce compliance review report, including action items that are generated by the review.
- Monitor agencies' implementation of compliance review action items.
- Determine whether agencies and offices' corrective action plans are in compliance with EEO employment laws.

Performance Measure 1: Percentage of USDA agencies and offices reviewed to determine compliance with EEO laws.

Baseline: 2006 – TBD

Targets: 2010 – TBD

Performance Measure 2: Percentage of USDA agencies and offices where corrective action was needed, and that were brought into compliance with EEO laws.

Baseline: 2006 – TBD

Targets: 2010 – TBD

Compliance reviews identified under Objective 9, involve the identification of agencies and offices that may not be in compliance with all or some of the statutes governing anti-discrimination and EEO laws. CR recognizes that this is the first step toward ensuring full compliance with these laws. Objective 9, therefore, also involves providing assistance to those agencies and offices that are not in full compliance. Following the compliance reviews, CR can better define Objective 9, as they will be aware of the extent of non-compliance, thus, better able to fulfill the intent of this Objective.

Objective 10: Meet EEOC standards of a Model EEO Program.

The EEOC has established six elements that serve as the foundation upon which each agency shall build its program to be recognized as a Model EEO Program. CR will complete all six elements by FY 2009, and request that EEOC recognize in FY 2010 the USDA Program as a Model EEO Program.

Performance Indicator: EEOC recognizes USDA's Civil Rights program as a Model EEO Program.

Actionable Strategies:

- Create self-assessment checklist.
- Devise strategies to meet EEOC indicators of a Model EEO Program.
- Devise strategies to meet the requirements of each indicator to include timelines.

Performance Measure: Number of EEOC indicators for a Model EEO Program that are met.

Baseline: 2005 – 33% of EEOC indicators are met.

Targets: 2009 – 100% of EEOC indicators will be met.

Incremental Targets: 2006: 50%; 2007: 67%; 2008: 83%; and 2009: 100%